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August 6, 2010

**TO BE FILED UNDER SEAL**

The Honorable I. Leo Glasser  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Doe, 98 CR 1101 (ILG)

Dear Judge Glasser:

We represent John Doe, the movant on an application for injunctive relief with respect to certain sealed and confidential documents.

*First*, we request that the Court clarify the scope of the orders issued by the Court in this matter.

On June 21, 2010, the Court issued an unambiguous order with respect to the PSR: "With respect to the presentence report I have absolutely no hesitation in enjoining any further dissemination and I'll direct the presentence report to be returned. To the extent that you have that in your possession, return it immediately...to the United States Attorney's Office." (June 21, 2010 Tr. at p. 92). The Court also stated: "I am issuing a permanent injunction that the information contained in that PSR is not to be disseminated. . . . The order with respect to the presentence reports is not directed to any individual, it is directed to the presentence report itself." (Id. at p. 88). However, as Your Honor may recall, at the most recent Court appearance, counsel for Mr. Oberlander took the position that the Court's order with respect to the PSR applied only to the original PSR and did not apply to any copies of the PSR. In response to that obvious misinterpretation of the order, at the July 20, 2010 hearing, Your Honor specified that the order applies with equal force to copies.

In discussions among counsel and in a recent submission to Judge Buchwald, Mr. Oberlander is now apparently taking the position that some or all of the Court's orders apply only to Mr. Oberlander and do not apply to his clients, Respondents Kriss and Ejekam. We respectfully request that the Court once again clarify that the Court's orders apply equally to all respondents, and to both originals and copies of documents.

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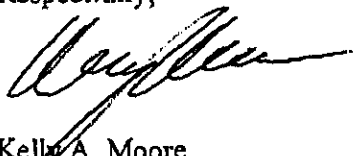
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*Second*, on June 25, 2010, the Court issued an order directing Joshua Bernstein to, *inter alia*, return to the United States Attorneys Office all copies of the PSR and to identify in writing the names of persons to whom he provided the documents at issue. A copy of the Court's order is attached.

In accordance with the order, our office served Mr. Bernstein (who we were previously unable to personally serve with a subpoena) by Federal Express and by email at an email address provided by Mr. Lerner. In addition, we also provided a copy of the email to Arnold Bernstein, an attorney (and Joshua Bernstein's father) who, according to Mr. Lerner, represents Joshua Bernstein. We also sent two follow-up requests.

We wish to advise the Court that Mr. Bernstein, who we are copying on this letter, has not complied with the Court's June 25, 2010 order and has not responded to our follow-up requests. In the event Mr. Bernstein does not comply with the Court's order within one week, we will ask the Court to find Mr. Bernstein in contempt of the Court's June 25, 2010 order.

Respectfully,



Kelly A. Moore

cc: Richard Lerner, Esq. (by email)  
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